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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|-------------------------|
| In re Application of: |) | Art Unit: 1652 |
| KAPPELER, et al. |) | Examiner: RAMIREZ, D. |
| Serial No.: 09/985,936 |) | Washington, D.C. |
| Filed: November 6, 2001 |) | July 8, 2003 |
| For: METHOD OF PRODUCING NON-BOVINE CHYMOSIN AND USE |) | Docket No.: KAPPELER=1A |
| HEREOF |) | Confirmation No.: 4194 |

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AMENDMENT UNDER RULE 1.115

JUL 10 2003

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S i r :

In response to the office action mailed April 8, 2003, please enter the following amendments and remarks.

IN THE DRAWINGS

Substitute drawings (Figs. 1-6) are enclosed.

IN THE CLAIMS

Please amend claims 4, 7, 8, 13, 15, 49, and 51 as follows:

C1 4 (twice amended). A method according to claim 51 wherein the pre-prochymosin, prochymosin or chymosin is a *Camelus dromedaries* protein.

7. (twice amended). A method according to claim 51 wherein the pre-prochymosin, prochymosin, chymosin, or fusion protein is secreted over the host cell membrane.

C2 8. (twice amended). A method according to claim 51 wherein the DNA differs from pGAMpR solely in that the coding sequence is different.

C3 13 (twice amended). A method according to claim 51 wherein the yield of pre-prochymosin, prochymosin or chymosin milk clotting activity is at least 25 % higher than the yield of bovine pre-prochymosin, bovine prochymosin or bovine chymosin milk clotting activity obtained when using, under identical

1652
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Examiner: RAMIREZ, D.
Washington, D.C.
Atty.'s Docket: KAPPE
Date: July 8, 2003

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JUL 08 2003

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Transmitted herewith is an [XX] Amendment ~~to the~~ Substitute Figs. 1-6 and Declarations
in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.
- [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [] No additional fee is required.

| (Col. 1) | | (Col. 2) | | (Col. 3) | | Small Entity | | Other Than a Small Entity | | |
|--|----------------------------------|----------|---------------------------------|---------------|--|--------------|----------------|---------------------------|-------|----------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | | Rate | Additional Fee | | Rate | Additional Fee |
| Total | 17 | Minus | 21 | 0 | | x 9 | \$ | | x18 | \$ |
| Indep. | 1 | Minus | 3 | 0 | | x42 | \$ | | x84 | \$ |
| First Presentation of Multiple Dependent Claim | | | | | | 140 | \$ | | +280 | \$ |
| TOTAL ADDITIONAL CLAIMS FEE | | | | | | | \$ | | Total | \$ |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

| | | | |
|-----|--------|---|----------|
| [] | First | - | \$ 55.00 |
| [] | Second | - | \$205.00 |
| [] | Third | - | \$465.00 |
| [] | Fourth | - | \$725.00 |
| [] | Fifth | - | \$985.00 |

Other Than Small Entity

Response Filed Within

| | | |
|-----|--------|-------------|
| [] | First | - \$ 110.00 |
| [] | Second | - \$ 410.00 |
| [] | Third | - \$ 930.00 |
| [] | Fourth | - \$1450.00 |
| [] | Fifth | - \$1970.00 |

[] Less fees (\$) already paid for months extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____. A duplicate copy of this sheet is attached.

[] A check in the amount of \$_____ is attached (check no. _____).

[] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$_____ is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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